

REMARKS

The specification has been amended as needed so as to place this application in condition for disposal at the time of the next Official Action.

The claims previously in the case have been replaced by a set of new claims, which are believed to be proper as to form and clearly patentable over the cited references.

In drafting the new claims, careful attention was paid to the Examiner's formal criticisms of the previous claims.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as anticipated by SEO or BIANCUCCI or LIAO or TORRENCE.

The new claims recite the pivotal plate 10 with a plurality of holes therethrough, each, as shown in Figures 2 and 3, being occupied by one of the projections on the sole, in either of the two rotated positions of the plate about the pivot P.

In this way, the plate is integrated into the sole in either swung position of the plate, without the need for providing an excessively strong pivot P nor an excessively strong mounting of the arcuate member 11 on the sole.

There is nothing like this in any of the cited references.

New claim 14 clearly brings out this relationship.

New claim 15 is directed to the arcuate member 11, whereby the connection of the pivot P can be displaced from the transverse axis of swinging movement of the arcuate member 11, thereby to provide three-point stability to the connection of the plate to the sole. Again, nothing in the cited references suggests this.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



---

Robert J. Patch, Reg. No. 17,355  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

RJP/lrs